

HOUSE No. 727

By Mr. O’Flaherty of Chelsea, petition of Eugene L. O’Flaherty and Anne M. Gobi relative to the expungement of records in certain criminal cases. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE EXPUNGEMENT OF RECORDS IN CERTAIN CRIMINAL CASES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 100C of chapter 276 of the General Laws, as appearing
2 in the 2002 Official Edition, is hereby amended by adding the
3 following paragraph:— In any criminal case wherein the defen-
4 dant is found to have been erroneously charged, the commissioner
5 of probation may, after a hearing to determine that substantial jus-
6 tice would best be served, expunge said court appearance and dis-
7 position recorded in his files and the clerk and the probation
8 officers of the courts in which the proceedings occurred or were
9 initiated may, likewise after a hearing, expunge the records of the
10 proceedings in their files.